THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.25083 of 2005

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Dated:24.11.2005

Between:

Sri G. Basvaiah S/o. Late Sri G. Mallaih
R/o. Plot.No.1,H.No.1-6-212/64/131/A/B, MCH colony Parsiguttta,

Musheerabad. Hyderabad, and others.

..... PETITIONERS

AND

The Estate Officer, Municipal Corporation of Hyderabad Tank Bund

Road, Hyderabad, and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.25083 of 2005

ORDER:

The petitioners were granted lease of land as alleged by the Municipal Corporation of Hyderabad. The land is situated at Parsigutta in Hyderabad and they raised constructions and have been statedly residing in that area. The Municipal Corporation of Hyderabad initiated action under the provisions of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (for short 'the Act'), and the petitioners submitted their explanations on 15.10.2005. In this writ petition, they allege that even before the Estate Officer, the first respondent herein, could consider the explanations and pass appropriate orders under Section 5 of the Act, and even while the applications made by the petitioners for extension of lease, are pending with the second respondent, the Officials of the Corporation threatened to forcibly

evict the petitioners. Aggrieved by the same, the present writ petition is filed.

Though papers were served on the learned Standing Counsel for the Municipal Corporation of Hyderabad, Sri Ghanta Rama Rao, he is absent in the morning as well as when the case is called in the afternoon. His junior is not able to place before this Court any material as to whether the first respondent passed final orders under Section 5 of the Act.

Therefore, this Writ Petition is disposed of directing the first respondent to consider the explanations submitted by the petitioners and pass appropriate orders within a period of one week from the date of receipt of a copy of this order. If any adverse orders are passed against the petitioners, it shall be open to them to prefer appeals before the Court of the Chief Judge, City Civil Court, Hyderabad, under Section 9 of the Act. Till appropriate orders are passed by the first respondent, the petitioners shall not be evicted from their respective premises. No costs.

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(V.V.S.RAO, J)

24.11.2005

Note:Issue C.C by tomorrow.

B/o.

vs